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Attorneys for Defendant  
APPLE INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

AYLUS NETWORKS, INC., a Delaware  
corporation,

Plaintiff,

vs.

APPLE INC., a California corporation

Defendant.

CASE NO. 3:13-cv-4700-EMC

**STIPULATION AND [PROPOSED]  
ORDER REGARDING FACT  
DISCOVERY**

1 Pursuant to Magistrate Judge Westmore's Order of November 2, 2015 (Dkt. 201),  
2 the parties respectfully submit this Stipulation And [Proposed] Order Regarding Fact  
3 Discovery.

4 WHEREAS, the Court's Case Management Order set a cut-off date of June 4, 2015  
5 for fact discovery (Dkt. 108);

6 WHEREAS, on October 13, 2015, Aylus filed a motion to strike certain opinions  
7 of Apple's non-infringement expert Dr. Nathaniel Polish regarding a design alternative  
8 identified by Dr. Polish;

9 WHEREAS, on November 2, 2015, Judge Westmore denied Aylus' motion but  
10 ruled that Aylus is entitled to conduct a 4-hour deposition of Apple engineer Colin  
11 Meldrum regarding the design alternative identified by Dr. Polish (Dkt. 201 at 6);

12 WHEREAS, Judge Westmore further ruled that "[t]he parties shall prepare a  
13 stipulation to the presiding judge seeking leave to conduct" Mr. Meldrum's deposition  
14 (*id.*);

15 WHEREAS, the parties have agreed that Mr. Meldrum's deposition should take  
16 place at 10 a.m. on December 4, 2015 at the Redwood Shores office of Aylus' counsel  
17 Quinn Emanuel;

18 NOW, THEREFORE, the parties respectfully request that the Court issue an order  
19 extending the fact discovery cut-off to allow a 4-hour deposition of Mr. Meldrum at 10  
20 a.m. on December 4, 2015, at Quinn Emanuel's Redwood Shores office.

21 **IT IS SO STIPULATED.**  
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2 Dated: December 2, 2015

Respectfully submitted,

QUINN EMANUEL URQUHART &  
SULLIVAN, LLP

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4 By: /s/ Amar L. Thakur  
5 AMAR L. THAKUR  
6 Attorneys for Plaintiff  
7 Aylus Networks, Inc

8 Dated: December 2, 2015

DLA PIPER LLP (US)

9  
10 By: /s/ Erik R. Fuehrer  
11 MARK D. FOWLER  
12 CHRISTINE K. CORBETT  
13 ROBERT BUERGI  
14 ROBERT WILLIAMS  
15 ERIK R. FUEHRER  
16 JONATHAN HICKS  
17 Attorneys for Defendant  
18 Apple, Inc.

19 **[PROPOSED] ORDER**

20 IT IS HEREBY ORDERED that:

21 Defendant Apple Inc. shall present Colin Meldrum for deposition at 10 a.m. on  
22 December 4, 2015, at the Redwood Shores office of Aylus' counsel Quinn Emanuel. Said  
23 deposition shall last no more than 4 hours on the record and shall be limited to questioning  
24 and testimony regarding the design alternative identified in the non-infringement report of  
25 Apple's expert Dr. Nathaniel Polish.

26 IT IS SO ORDERED.

27 Dated: 12/3/15



1 ATTESTATION CLAUSE

2 I, Joseph B. Martin, am the ECF User whose identification and password are being  
3 to file this Stipulation and [Proposed] Order. Concurrence to the filing of this document  
4 was obtained from Erik R. Fuehrer, counsel for Apple Inc., on December 2, 2015.

5 I declare under penalty of perjury under the laws of the United States that the  
6 foregoing is true and correct.

7 Dated: December 2, 2015

QUINN EMANUEL URQUHART &  
SULLIVAN, LLP

9  
10 By: /s/ Joseph B. Martin  
11 Joseph B. Martin  
12 Attorneys for Plaintiff  
13 Aylus Networks, Inc.  
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